

## JOURNAL OF THE HOUSE.

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Monday, March 1, 2004.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mrs. Walrath of Stow in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Gracious God, we begin this first day of a new month with a prayer and reflection in which we ask for Your guidance and direction in evaluating both legislative matters and personal concerns. Inspire us to use our intellects and wills in a mature, reasoned and thoughtful manner. As legislators, help us to assimilate and organize the vast, often conflicting, information and data which comes across our desks so that our decisions will be accurate, honest and correct. Teach us to be focused clearly on the complex and emotional issues of these unusual times. Let our respectful disagreements rest on solid principles and not trendy causes, on the common good and not special interests.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mrs. Walrath), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

### *Appointment to an Advisory Board.*

The Minority Leader announced the appointment of Representative Gomes of Harwich to the Advisory Board established (under Section 60 of Chapter 141 of the Acts of 2003) to advise the International Trade Council on the scope of services provided to said council by the contractor providing international marketing and tourism promotion services on behalf of the Commonwealth.

### *Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Driscoll of Braintree) congratulating John Paul Dryer, III of Braintree upon his elevation to the rank of Eagle Scout; and

Resolutions (filed by Mr. Vallee of Franklin) congratulating Police Chief Lawrence P. Benedetto on the occasion of his retirement;

Mrs. Harkins of Needham, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mrs. Paulsen of Belmont, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Communications.**Communications*

Division of  
Marine  
Fisheries,  
fees.

From the Executive Office for Administration and Finance (under the provisions of Section 3B of Chapter 7 of the General Laws) relative to proposed changes in certain fees to be charged by the Division of Marine Fisheries;

MBTA,  
revenue.

From the Massachusetts Bay Transportation Authority (under the provisions of Subsection 11 of Section 151 of Chapter 127 of the Acts of 1999) relative to the efforts of said Authority to maximize non-transportation revenue; and

Transportation  
and  
Construction.

From the Executive Office of Transportation and Construction (under the provisions of item 6000-0100 of Section 2 of Chapter 26 of the Acts of 2003) submitting copies of several quarterly and special reports, including STIP funding, Chapter 90 PWED fund, and certain payroll reports;

Severally were placed on file.

*Annual and Special Reports.**Annual Reports*

Technology  
Development  
Corporation.

Of the Massachusetts Technology Development Corporation (under the provisions of Section 7 of Chapter 40G of the General Laws) for the fiscal year 2003; and

Workers  
Compensation  
Advisory  
Council.

Of the Massachusetts Workers' Compensation Advisory Council (under the provisions of Section 17 of Chapter 23E of the General Laws) for the fiscal year 2003; and

Central  
Artery/Ted  
Williams  
Tunnel  
Project.

A bi-monthly report of the Executive Office for Transportation and Construction (under the provisions of Section 178 of Chapter 653 of the Acts of 1989) submitting an account of the costs incurred in connection with the depression of the Central Artery and construction of the Ted Williams Tunnel; and

It

A quarterly report of the Massachusetts Turnpike Authority (under the provisions of Section 9 of Chapter 87 of the Acts of 2000) on the status of the Central Artery/Ted Williams Tunnel project;

Severally were placed on file.

*Papers from the Senate.*

Children,  
health  
insurance.

A report of the committee on Education, Arts and Humanities, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 254) of Cynthia S. Creem, Patricia D. Jehlen, Cheryl A. Jacques, Carol A. Donovan and other members of the General Court for legislation to increase participation in childrens' health insurance programs through school enrollment data collection, and recommending that the same be referred to the committee on Health Care,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Correctional  
facilities,  
inspection  
reports.

Reports of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspections of certain correctional facilities, as follows:

Of the Worcester County House of Correction and Jail, in the town of West Boylston;

Of the Worcester County House of Correction and Jail Modular Unit, in the town of West Boylston; and

Of the Minimum Security Facility, Annex, Work Release and Warehouse at the Worcester County House of Correction and Jail, in the town of West Boylston;

Severally were spread upon the records of the House; and returned to the Senate.

*Reports of Committees.*

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of William M. Straus and Mark C. Montigny for legislation to authorize the Trial Court to establish a sick leave bank for David Ponte, an employee of said court. Under suspension of the rules, on motion of Mr. Donato of Medford, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

David  
Ponte,  
sick leave  
bank.

By Ms. St. Fleur of Boston, for the committee on Education, Arts and Humanities, on Senate, No. 276 and House, Nos. 324, 1647 and 2581, a Bill establishing a special commission to study physical education in Massachusetts public schools (House, No. 4545).

Public  
schools,  
physical  
education.

By the same member, for the same committee, on Senate, No. 300 and House, Nos. 2768 and 2772, a Bill establishing a special commission to study essential health services in Massachusetts public schools (House, No. 4546).

Schools,  
health  
services.

By Mr. Koutoujian of Waltham, for the committee on Health Care, on House, No. 2580, a Resolve relative to the study of methods to reduce incidents of suicide (House, No. 4547).

Suicide  
incidents.

By Mr. Toomey of Cambridge, for the committee on Public Safety, on House, No. 4364, a Bill to improve fire safety in the Commonwealth (House, No. 4550).

Fire  
safety.

Severally read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Ms. St. Fleur of Boston, for the committee on Education, Arts and Humanities, on Senate, No. 252 and House, Nos. 872 and 1829, a Bill to promote the health, education and welfare of teenagers in the Commonwealth (House, No. 1829).

Teenagers,  
health,  
education  
and welfare.

By the same member, for the same committee, on Senate, No. 277 and House, No. 1853, a Bill relative to the Massachusetts Youth-Build Program (House, No. 1853).

YouthBuild  
program.

By the same member, for the same committee, on a petition, a Bill relative to asthma screening (House, No. 2573).

Asthma  
screening.

By the same member, for the same committee, on House, Nos. 2399 and 2761, a Bill concerning high school diplomas and veterans of World War II and the Korean War (House, No. 2399).

Diplomas,  
Veterans.

By the same member, for the same committee, on Senate, No. 265 and House, Nos. 511 and 3490, a Bill relative to gifted and talented students (House, No. 4548).

Students,  
gifted.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Educational  
technology.

By Ms. St. Fleur of Boston, for the committee on Education, Arts and Humanities, on a petition, a Bill to increase access to educational technology (House, No. 2036). Read; and referred, under Rule 33B, to the committee on Science and Technology.

School  
attendance.

By Ms. St. Fleur of Boston, for the committee on Education, Arts and Humanities, on a petition, a Bill to improve truancy enforcement and encourage school attendance (House, No. 1825, changed by striking out section 2).

Schools,  
soda  
machines.

By the same member, for the same committee, on Senate, No. 303 and House, Nos. 125, 1071 and 2571, a Bill relative to vending machines in schools (House, No. 2571).

Springfield,  
school  
uniforms.

By the same member, for the same committee, on a petition, a Bill relative to the establishment of mandatory school uniform programs in the city of Springfield (House, No. 3715) [Local Approval Received].

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

#### *Engrossed Bills.*

Bills  
enacted.

##### Engrossed bills

Authorizing the town of Mendon to establish a capital expenditure fund (see House, No. 192);

Designating a certain bridge in the town of Canton as the John E. Farrington Bridge (see House, No. 661); and

Providing for a clerk of the city council of the city of Northampton (see House, No. 4106);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

#### *Orders of the Day.*

Third  
reading  
bill.

The Senate Bill providing for the annual observance of Jack Kerouac Day (Senate, No. 1666) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third  
reading  
bills.

##### House bills

Authorizing the town of Wellesley to establish a group insurance liability fund (House, No. 3869) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Christopher Lavele, an employee of the Department of Correction (House, No. 4412) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

#### *Order.*

On motion of Mr. Finneran of Boston,—

*Ordered*, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

Next  
sitting.

At ten minutes after eleven o'clock A.M., on motion of Mr. Donato of Medford (Mrs. Walrath of Stow being in the Chair), the House adjourned, to meet on Wednesday next at eleven o'clock A.M., in an Informal Session.